

## REMARKS

Applicant submits this Reply in response to the final Office Action mailed on July 20, 2007. In the final Office Action, the Examiner objected to claims 1, 6, 7, 8, 16, and 17; rejected claims 1, 6-8, 10-16, 19-22, and 25 under 35 U.S.C. § 102(e) as allegedly being anticipated by Goldman et al. (U.S. Patent No. 7,051,351) ("Goldman"); rejected claim 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman; rejected claims 2, 5, and 17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman in view of Khoo et al. (U.S. Patent No. 6,434,747) ("Khoo"); rejected claim 18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman, in view of Herz et al. (U.S. Patent No. 5,754,939) ("Herz"); and rejected claims 23 and 24 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Goldman, in view of Campbell et al. (U.S. Patent No. 4,536,791) ("Campbell"). Claims 1, 2, and 5-25 are currently pending, and are hereby amended. Claims 1, 6, 7, 8, 16, and 17 are independent claims.

### I. Examiner Interview

Applicant thanks the Examiner for discussing the claims and potential claim amendments with Applicant's representative on October 9, 2007. During the interview, the Examiner and Applicant's representative discussed amendments that would clarify the claim language and thereby overcome the Examiner's claim objections.

### II. Examiner's Claim Objections

On page 3 of the Office Action, the Examiner objects to "claim 1 and the related independent claims" as allegedly being unclear. Applicant has amended independent claims 1, 6, 7, 8, 16, and 17, and so the Examiner's objection is now moot.

### III. Rejections Under 35 U.S.C. § 102(e)

The Examiner rejects claims 1, 6-8, 10-16, 19-22, and 25 under 35 U.S.C. § 102(e) as allegedly being anticipated by Goldman. Applicant respectfully traverses these rejections.

In order to support a rejection under 35 U.S.C. § 102(e), each and every element as set forth in the claims must be described, either expressly or inherently, in a single prior art reference. M.P.E.P. § 2131. Goldman fails to teach each and every element of claim 1.

Claim 1 recites “[a]n information processing apparatus for delivering contents data via a network to another apparatus” comprising, *inter alia*:

“second registration means for registering individual additional information of said contents data on the basis of at least said contents data,

wherein said individual additional information comprises overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data . . . .”

The Examiner contends that Goldman discloses the claimed second registration means. Applicant respectfully disagrees. Goldman discloses a method and system for displaying selected Internet advertisements based at least in part on television viewing habits of the person receiving the advertisements. Col. 1, lines 10-15. A user profile, in combination with selection criteria, may be used to select advertisements to be displayed for a recipient. Col. 4, lines 50-52. The user profile may include information “relating to the television program displayed on [a] display device.” Col. 8, lines 6-9. Thus, Goldman discloses displaying advertisements in information documents, and

selecting the advertisements based on television programs viewed by a user. Although Goldman discloses compiling “information related to the television program displayed on [a] display device,” col. 8, lines 6-9, Goldman does not disclose registering information comprising “overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data,” as recited in claim 1.

The Examiner asserts that column 8, lines 6-13 of Goldman discloses the claimed individual additional information. Applicant respectfully disagrees. As discussed above, this portion of Goldman discloses information “relating to the television program displayed on [a] display device.” *Id.* at lines 8-9. This portion of Goldman additionally describes “other user information” such as “demographic information, Internet usage data, [and] geographical information.” Yet none of these disclosed types of information include, *inter alia*, information associated with “one of a plurality of segments” of contents data or information associated with “one of a plurality of scenes” in contents data, as claimed in claim 1.

For at least these reasons, Goldman fails to disclose each and every element of claim 1. As such, the rejection of claim 1 under 35 U.S.C. § 102(e) should be withdrawn, and the claim allowed.

Furthermore, claim 1 recites additional subject matter not disclosed by Goldman. For example, claim 1 recites “registering means” for registering specific types of “general” information and “individual” information; “extraction means” for extracting the

“general” information and “individual” information based on “user information comprising at least one of user usage status and user usage classification”; “generation means” for generating “individual data” from the “general” and “individual” information; and “transmission means” for transmitting “said contents data and said individual data . . . to enable *said contents data, said general additional information and said individual additional information* to be simultaneously displayed on a display screen”; whereby “*said contents data is delivered together with said individual data in response to a request . . .*” (Emphasis added.) Goldman merely discloses gathering information related to users and related to television programs, and using this information to select advertisements to include in information documents.

The Examiner asserts, however, that column 9, lines 46-55 of Goldman discloses, “contents data is delivered together with extracted general additional information and extracted individual information.” Applicant respectfully disagrees. This portion of Goldman states:

An advertisement insertion module 76 inserts data representing selected advertisement 78 into information document 72 after it is retrieved. For example, the selected advertisement may be embedded in the information document 72 according to conventional techniques. After the selected advertisement is inserted, the requested information document 72 is transmitted from remote server 16 to client system 10. Internet browser 56 displays the information document 72 and the selected advertisement 78 on display device 20, which is one example of means for displaying the information document.

Although this portion of Goldman describes transmitting an information document with an advertisement to a client, and displaying the information document and the advertisement on a display device, it does not disclose delivering “contents data” (e.g., the same contents data associated with the claimed “general additional information” and

“individual additional information”) together with “extracted general additional information” and “extracted individual information,” and does not disclose transmitting the claimed “individual data” together with the claimed “contents data,” as recited in claim 1.

For at least these additional reasons, Goldman does not disclose each and every element of claim 1. As such, the rejection of claim 1 under 35 U.S.C. § 102(e) should be withdrawn and the claim allowed.

Independent claims 6, 7, 8, and 16, though of different scope from claim 1, also recite, “said individual additional information comprises overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data,” and recite generating “individual data” from “said general additional information and said individual additional information” and transmitting or delivering the individual data “together” with the contents data. Therefore, the rejection of claims 6, 7, 8, and 16 under 35 U.S.C. § 102(e) should be withdrawn and the claims allowed.

Claims 10-15, 19-22, and 25 each depend from one of independent claims 1, 6, 7, or 8. Accordingly, the rejection of claims 10-15, 19-22, and 25 should be withdrawn and the claims allowed.

#### **IV. Rejections Under 35 U.S.C. § 103(a)**

The Examiner rejects claim 9 as allegedly being unpatentable over Goldman; rejects claims 2, 5, and 17 as allegedly being unpatentable over Goldman in view of

Khoo; rejects claim 18 as allegedly being unpatentable over Goldman in view of Herz; and rejects claims 23 and 24 as allegedly being unpatentable over Goldman in view of Campbell. Applicant respectfully traverses these rejections.

To establish a *prima facie* case of obviousness, the prior art (taken separately or in combination) must teach or suggest all the claim limitations. See M.P.E.P. § 2142. Claims 2, 9, 18, 23, and 24 depend from claim 1 and therefore include all of the recitations of claim 1. As discussed above, Goldman fails to disclose each and every recitation of claim 1. Furthermore, none of Khoo, Herz, or Campbell repair the deficiencies of Goldman discussed above. As such, the Examiner has not established a *prima facie* showing of obviousness, and Applicant requests that the rejection of claims 2, 9, 18, 23, and 24 be withdrawn and, the claims allowed.

Independent claim 17, though of different scope from claim 1, also recites, *inter alia*, “said individual additional information comprises overall individual additional information which is associated with the contents data as a whole, segment individual additional information which is associated with one of a plurality of segments of the contents data, and scene individual additional information associated with one of a plurality of scenes in contents data,” and further recites “transmitting said contents data together with said individual metadata via said network to said other apparatus.” As discussed above, Goldman does not disclose these recitations. Furthermore, none of Khoo, Herz, or Campbell repair the deficiencies of Goldman. Claim 5 depends from claim 17, and therefore includes all of the recitations of claim 17. As such, the Examiner has not established a *prima facie* showing of obviousness, and Applicant requests that the rejection of claims 17 and 5 be withdrawn, and the claims allowed.

**V. Conclusion**

In view of the foregoing remarks, the claims are neither anticipated nor rendered obvious in view of the cited references. Applicant therefore requests the Examiner's reconsideration of the application and timely allowance of pending claims 1, 2, and 5-25.

The final Office Action contains characterizations of the claims and the related art with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization in the final Office Action.

In discussing the specification, claims, and drawings in this Reply, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification and/or shown in the drawings. Rather, Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

If a telephone interview will expedite issuance of this application, the Examiner is requested to call Applicant's representative whose name and registration number appear below, at 202-408-4138 to discuss any remaining issues.

Please grant any extensions of time required to enter this Reply and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: October 11, 2007

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